

By Williamson

H. B. No. 2647

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the procedures for acquiring certain telecommunications or
3 automated information equipment or services under the State Purchasing
4 and General Services Act.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Sections 3.022(a) and (f), State Purchasing and
7 General Services Act (Article 601b, Vernon's Texas Civil Statutes),
8 are amended to read as follows:

9 (a) The commission shall [may] acquire telecommunications
10 devices, systems, or services or any automated information systems,
11 the computers on which they are automated, or a service related to
12 the automation of information systems or the computers on which
13 they are automated, including computer software, by following a
14 procedure using competitive sealed proposals except when [if] the
15 commission determines by rule that competitive sealed bidding or
16 informal competitive bidding is more [not] practical or
17 advantageous [~~is disadvantageous~~] to the state for certain types of
18 those purchases. Items to be purchased from higher education
19 research funds may be acquired by following a procedure using
20 competitive sealed proposals. [~~The commission, or an institution~~
21 ~~of higher education making the acquisition if research purchasing~~
22 ~~authority has been delegated to that institution under Section 3.06~~
23 ~~of this article, must first determine that competitive sealed~~
24 ~~bidding or informal competitive bidding is not practical or is~~

1 ~~disadvantageous to the state.]~~ If the competitive sealed proposal
2 procedure is to be handled by an ~~{the}~~ institution of higher
3 education, the institution shall follow the procedures outlined by
4 this section for the commission.

5 (f) The commission shall make a written award of a purchase
6 or lease to the offeror whose proposal is the most advantageous to
7 the state, considering price, the overall life of the system or
8 equipment, the cost of ownership to include hardware and hardware
9 maintenance for 60 months, software and software maintenance for 60
10 months, and installation costs, and the evaluation factors in the request
11 for proposals, except that if the commission finds that none of the
12 offers is acceptable, it shall refuse all offers. The commission
13 may not use any other factors or criteria in its evaluation. The
14 contract file must state in writing the basis on which the aware is
15 made.

16 SECTION 2. The importance of this legislation and the
17 crowded condition of the calendars in both houses create an
18 emergency and an imperative public necessity that the
19 constitutional rule requiring bills to be read on three several
20 days in each house be suspended, and this rule is hereby suspended,
21 and that this Act take effect and be in force from and after its
22 passage, and it is so enacted.

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relating to the procedures for acquiring certain telecommunications or automated information equipment or services under the State Purchasing and General Services Act.

MAR 8 1991

1. Filed with the Chief Clerk.

MAR 27 1991

2. Read first time and Referred to Committee on

STATE AFFAIRS

3. Reported favorably (as amended) (as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by (a viva voce vote.) (_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____

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